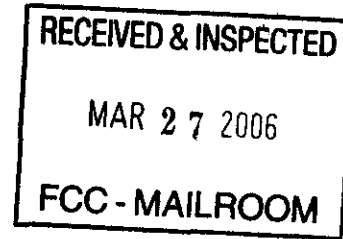


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TO: Office of the Secretary
ORGANIZATION: Federal Communications Commission
PHONE: _____
FAX: 202.418.0187

FROM: Sandy Spencer
COMPANY: Strategic Management Solutions
PHONE: 614.882.0596
FAX: 614.882.2556
EMAIL: sjs@smserate.com

COMMENTS: This is an appeal for Dayton Catholic
Elementary School - BEN # 50336
471 Application # 452258

CC Docket 96-45 CC Docket 02-6

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Dayton Catholic Elementary School

3605 Kings Highway • Dayton, OH 45406 • 275-8114

"Request for Review"

CC Docket No. 02-8
CC Docket No 96-45

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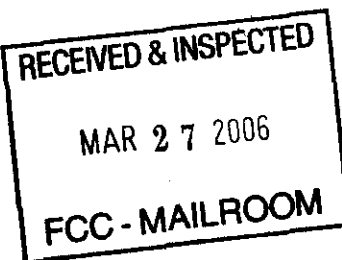
Member of the
National Middle School
Association

Contact:

Sandy Spencer
611 - G Park Meadow Road
Westerville, Ohio 43081
614.882.0596
614.882.2556 - Fax
sjs@smserate.com

This letter is an appeal for:

Appellant Name: Dayton Catholic Elementary School
Applicant Name: Dayton Catholic Elementary School
Service Provider Name: Telenet Solutions, Inc.
Applicant BEN: 50336
Service Provider SPIN: 143027126
Form 471 Application: 452258
Attached - "Funding Commitment Decision Letter for Funding Year 2005"



Text that is being appealed. - "This funding request is denied as a result of a Cost Effectiveness Review, which has determined that your request for - \$76,500 per year has not been justified as cost effective as required by FCC rules".

This letter is to appeal the denial of Funding Request Number 1272363. Dayton Catholic Elementary School's 470 application was submitted and accepted by the Schools and Libraries Division. Our application was on file for all potential bidders for the required 28 day waiting period. Telenet Solutions, Inc. provided a valid bid. Telenet Solutions, Inc. was the sole bid. We evaluated the bid based on the attached Evaluation of Bid per program rules. As you can see by this information, we were fully prepared to evaluate all bids in a manner consistent with the program rules. It has been our experience that vendors do not choose to provide bids or engage in service contracts with entities as small as our institution. With only one class of each grade kindergarten through eighth grade, it is extremely difficult to excite businesses to provide the services we need in a timely fashion. This situation is especially evident in the technology arena.

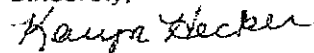
In the time that our network has been operational, our teachers have become increasingly savvy at navigating the Internet in pursuit of educational materials, opportunities, virtual field trips, and curriculum which has become integral to the

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students' learning. Without the E-Rate program, what technology we have will be rendered useless to our disadvantaged student population (90% poverty level).

In the spirit of the E-Rate program, Dayton Catholic Elementary School followed all the rules set forth by the Schools and Libraries Division in preparing our application and responding to inquiries. Based on the reason given by the Schools and Libraries Division, Dayton Catholic Elementary School is at a loss to understand the denial of this funding request. Therefore, Dayton Catholic Elementary School respectfully requests the Federal Communications Commission to reverse the Schools and Libraries Division's decision concerning Funding Request Number 1272363 and reinstate the appropriate E-Rate funding. I appreciate your consideration on this matter.

Sincerely,



Karyn Hecker
Principal
Dayton Catholic Elementary School

CC: Telenet Solutions, Inc.

Dayton Catholic Elementary
Bid Evaluation

12/16/05

Price	30%
Prior Experience	25%
Personnel qualifications	25%
Management capability	20%
TOTAL	100%



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2005: 07/01/2005 - 06/30/2006)

February 1, 2006

Sandy Spencer
DAYTON CATHOLIC ELEM SCHOOL
611 - G Park Meadow Road
Westerville, OH 43081

Re: Form 471 Application Number: 452258
Funding Year 2005: 07/01/2005 - 06/30/2006
Billed Entity Number: 50336
Billed Entity FCC RN: 001181192
Applicant's Form Identifier: DC-IC-471-05

Thank you for your Funding Year 2005 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$5,663.70 is "Approved."
- The amount, \$68,850.00 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,

Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey, 07981

Visit us online at: www.sl.universalservice.org

- Applicant name and service provider name, if different from appellant,
 - Applicant BEN and service provider SPIN,
 - Form 471 Application Number as assigned by the SLD,
 - "Funding Commitment Decision Letter for Funding Year 2005," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connection requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

CATEGORY OF SERVICE: The type of service ordered from the service provider, as shown on your Form 471.

FORM 470 APPLICATION NUMBER: The Form 470 Application Number associated with this FRN from Block 5, Item 12 of the Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The Service Start Date for this FRN from Block 5, Item 19 of your Form 471.

CONTRACT EXPIRATION DATE: The Contract Expiration Date for this FRN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR: The number of months of service that has been approved in the funding year. This will be present only for recurring services.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

FUNDING COMMITMENT REPORT
Billed Entity Name: DAYTON CATHOLIC ELEM SCHOOL
BEN: 50336
Funding Year: 2005

Form 471 Application Number: 452258
Funding Request Number: 1272363
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 810740000
SPIN: 143027126
Service Provider Name: Telenet Solutions, Inc.
Contract Number: N/A
Billing Account Number: N/A
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 50336
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$76,500.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$76,500.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Program Rule Violations
Funding Commitment Decision Explanation: This funding request is denied as a result of a Cost Effectiveness Review, which has determined that your request for -\$76,500 per year has not been justified as cost effective as required by FCC rules.

FCDL Date: 02/01/2006
Wave Number: 032

Funding Request Number: 1272370
Funding Status: Funded
Category of Service: Internal Connections
Form 470 Application Number: 810740000
SPIN: 143027126
Service Provider Name: Telenet Solutions, Inc.
Contract Number: N/A
Billing Account Number: N/A
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 50336
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$4,113.00
Pre-discount Amount: \$4,113.00
Discount Percentage Approved by the SLD: 90%
Funding Commitment Decision: \$3,701.70 - FRN approved as submitted

FCDL Date: 02/01/2006
Wave Number: 032

FUNDING COMMITMENT REPORT
Billed Entity Name: DAYTON CATHOLIC ELEM SCHOOL
BEN: 50336
Funding Year: 2005

Form 471 Application Number: 452258
Funding Request Number: 1272384
Funding Status: Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 810740000
SPIN: 143027126
Service Provider Name: Telenet Solutions, Inc.
Contract Number: N/A
Billing Account Number: N/A
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 50336
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,180.00
Pre-discount Amount: \$2,180.00
Discount Percentage Approved by the SLD: 90%
Funding Commitment Decision: \$1,962.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The category of service was changed from Internal Connections to Basic Maintenance in accordance with program rules.
ECDL Date: 02/01/2006
Wave Number: 032